

# **Exhibit 1**

Wednesday, January 30, 2019 at 11:55:44 AM Pacific Standard Time

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**Subject:** RE: WCF v. Shrem, 18-cv-8250 (JSR)  
**Date:** Tuesday, November 6, 2018 at 1:33:12 PM Pacific Standard Time  
**From:** Donald Pepperman  
**To:** Sam Ferguson, Teresa Huggins, Brian Klein  
**CC:** Seena Forouzan, Tyler Meade, Annie Decker  
**Attachments:** image003.png, image001.png

Sam:

Looks fine. Please proceed to file. Thanks for handling.

Don

## Donald R. Pepperman

### Partner

dpepperman@bakermarquart.com  
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Los Angeles, California 90017  
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**From:** Sam Ferguson <sam@meadefirm.com>  
**Sent:** Tuesday, November 6, 2018 10:40 AM  
**To:** Donald Pepperman <Dpepperman@bakermarquart.com>; Teresa Huggins <thuggins@bakermarquart.com>; Brian Klein <bklein@bakermarquart.com>  
**Cc:** Seena Forouzan <seena@meadefirm.com>; Tyler Meade <tyler@meadefirm.com>; Annie Decker <annie@meadefirm.com>  
**Subject:** Re: WCF v. Shrem, 18-cv-8250 (JSR)

Don,

Attached is the agreed upon discovery plan. Please let me know if this is acceptable and I will file.

-Sam

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Sam Ferguson  
The Meade Firm p.c.  
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**From:** Donald Pepperman <[Dpepperman@bakermarquart.com](mailto:Dpepperman@bakermarquart.com)>  
**Date:** Tuesday, November 6, 2018 at 10:05 AM  
**To:** Sam Ferguson <[sam@meadefirm.com](mailto:sam@meadefirm.com)>, Teresa Huggins <[thuggins@bakermarquart.com](mailto:thuggins@bakermarquart.com)>, Brian Klein <[bklein@bakermarquart.com](mailto:bklein@bakermarquart.com)>  
**Cc:** Seena Forouzan <[seena@meadefirm.com](mailto:seena@meadefirm.com)>, Tyler Meade <[tyler@meadefirm.com](mailto:tyler@meadefirm.com)>, Annie Decker <[annie@meadefirm.com](mailto:annie@meadefirm.com)>  
**Subject:** RE: WCF v. Shrem, 18-cv-8250 (JSR)

sure

---

**From:** Sam Ferguson <[sam@meadefirm.com](mailto:sam@meadefirm.com)>  
**Sent:** Tuesday, November 6, 2018 9:52 AM  
**To:** Donald Pepperman <[Dpepperman@bakermarquart.com](mailto:Dpepperman@bakermarquart.com)>; Teresa Huggins <[thuggins@bakermarquart.com](mailto:thuggins@bakermarquart.com)>; Brian Klein <[bklein@bakermarquart.com](mailto:bklein@bakermarquart.com)>  
**Cc:** Seena Forouzan <[seena@meadefirm.com](mailto:seena@meadefirm.com)>; Tyler Meade <[tyler@meadefirm.com](mailto:tyler@meadefirm.com)>; Annie Decker <[annie@meadefirm.com](mailto:annie@meadefirm.com)>  
**Subject:** Re: WCF v. Shrem, 18-cv-8250 (JSR)

Don —

Still on the phone with Judge Rakoff's chambers. I believe Teresa is also on. Can we start as soon as the call is over?

--

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**From:** Donald Pepperman <[Dpepperman@bakermarquart.com](mailto:Dpepperman@bakermarquart.com)>  
**Date:** Monday, November 5, 2018 at 4:56 PM  
**To:** Sam Ferguson <[sam@meadefirm.com](mailto:sam@meadefirm.com)>, Teresa Huggins <[thuggins@bakermarquart.com](mailto:thuggins@bakermarquart.com)>, Brian Klein <[bklein@bakermarquart.com](mailto:bklein@bakermarquart.com)>  
**Cc:** Seena Forouzan <[seena@meadefirm.com](mailto:seena@meadefirm.com)>, Tyler Meade <[tyler@meadefirm.com](mailto:tyler@meadefirm.com)>, Annie Decker <[annie@meadefirm.com](mailto:annie@meadefirm.com)>  
**Subject:** RE: WCF v. Shrem, 18-cv-8250 (JSR)

Sam:

Then let's have our discussion tomorrow at 10 am. The following are defendant Shrem's proposed dates for the case management plan:

- Joinder of additional parties deadline – November 15, 2018
- Amended pleadings deadline – November 15, 2018
- Document request service deadline – December 4, 2018
- Interrogatory service deadline – December 4, 2018
- Requests to admit service deadline – December 4, 2018
- Deposition cut-off – March 11, 2019
- Discovery cut-off – March 11, 2019
- Plaintiff expert designation deadline – February 8, 2019
- Defendant expert designation deadline – March 1, 2019
- Post- discovery summary judgment motion filing deadline – March 15, 2019
- Summary judgment motion answering papers deadline – March 25, 2019
- Summary judgment motion reply papers deadline – April 5, 2019

Don

---

**From:** Sam Ferguson <[sam@meadefirm.com](mailto:sam@meadefirm.com)>  
**Sent:** Monday, November 5, 2018 3:57 PM  
**To:** Donald Pepperman <[Dpepperman@bakermarquart.com](mailto:Dpepperman@bakermarquart.com)>; Teresa Huggins <[thuggins@bakermarquart.com](mailto:thuggins@bakermarquart.com)>; Brian Klein <[bklein@bakermarquart.com](mailto:bklein@bakermarquart.com)>  
**Cc:** Seena Forouzan <[seena@meadefirm.com](mailto:seena@meadefirm.com)>; Tyler Meade <[tyler@meadefirm.com](mailto:tyler@meadefirm.com)>; Annie Decker <[annie@meadefirm.com](mailto:annie@meadefirm.com)>  
**Subject:** Re: WCF v. Shrem, 18-cv-8250 (JSR)

10am works for me.

Can you circulate your proposed dates before the call so we have a schedule to discuss?  
Thanks in advance,  
-Sam

--

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**From:** Donald Pepperman <[Dpepperman@bakermarquart.com](mailto:Dpepperman@bakermarquart.com)>  
**Date:** Monday, November 5, 2018 at 11:40 AM  
**To:** Sam Ferguson <[sam@meadefirm.com](mailto:sam@meadefirm.com)>, Teresa Huggins <[thuggins@bakermarquart.com](mailto:thuggins@bakermarquart.com)>, Brian Klein <[bklein@bakermarquart.com](mailto:bklein@bakermarquart.com)>  
**Cc:** Seena Forouzan <[seena@meadefirm.com](mailto:seena@meadefirm.com)>, Tyler Meade <[tyler@meadefirm.com](mailto:tyler@meadefirm.com)>, Annie Decker <[annie@meadefirm.com](mailto:annie@meadefirm.com)>  
**Subject:** RE: WCF v. Shrem, 18-cv-8250 (JSR)

Sam:

I have the proposed plan you circulated which we are reviewing. I am available tomorrow at 10 am pacific time for a telephone conference to dicuss. Let me know if that works.

Don

## Donald R. Pepperman

Partner

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**From:** Sam Ferguson <[sam@meadefirm.com](mailto:sam@meadefirm.com)>  
**Sent:** Monday, November 5, 2018 10:57 AM  
**To:** Donald Pepperman <[Dpepperman@bakermarquart.com](mailto:Dpepperman@bakermarquart.com)>; Teresa Huggins <[thuggins@bakermarquart.com](mailto:thuggins@bakermarquart.com)>; Brian Klein <[bklein@bakermarquart.com](mailto:bklein@bakermarquart.com)>  
**Cc:** Seena Forouzan <[seena@meadefirm.com](mailto:seena@meadefirm.com)>; Tyler Meade <[tyler@meadefirm.com](mailto:tyler@meadefirm.com)>; Annie Decker <[annie@meadefirm.com](mailto:annie@meadefirm.com)>  
**Subject:** Re: WCF v. Shrem, 18-cv-8250 (JSR)

Don, Teresa and Brian,

Please let me know if you'd like to schedule a call today or tomorrow to discuss the case management plan, or if you'd simply like to note alternative dates on the document. I'm recirculating our plan we sent last Thursday. The Court gave us until tomorrow to file the plan with agreements/disagreements.

I'm relatively free after 3pm pacific today and most of the day tomorrow if you'd like to discuss. I'm sure you're tied up at least until 2pm with the opposition to the motion to confirm.

All the best,

-Sam

--

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**From:** Sam Ferguson <[sam@meadefirm.com](mailto:sam@meadefirm.com)>  
**Date:** Thursday, November 1, 2018 at 11:11 AM  
**To:** Donald Pepperman <[Dpepperman@bakermarquart.com](mailto:Dpepperman@bakermarquart.com)>, Teresa Huggins <[thuggins@bakermarquart.com](mailto:thuggins@bakermarquart.com)>, Brian Klein <[bklein@bakermarquart.com](mailto:bklein@bakermarquart.com)>  
**Cc:** Seena Forouzan <[seena@meadefirm.com](mailto:seena@meadefirm.com)>, Tyler Meade <[tyler@meadefirm.com](mailto:tyler@meadefirm.com)>, Annie Decker

<[annie@meadefirm.com](mailto:annie@meadefirm.com)>

**Subject:** Re: WCF v. Shrem, 18-cv-8250 (JSR)

Don,

Attached is a proposed Case Management Plan we have filled out. It is due today. I believe you and Tyler mentioned discussing this after the call with chambers.

Can we set up a call at 4pm Eastern/1pm Pacific to discuss? If that time does not work, please let us know another time. We are widely available except for a call at 3pm eastern/noon pacific which should last about 20-30 minutes.

Best Regards,

-Sam

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**From:** Donald Pepperman <[Dpepperman@bakermarquart.com](mailto:Dpepperman@bakermarquart.com)>

**Date:** Thursday, November 1, 2018 at 10:18 AM

**To:** Sam Ferguson <[sam@meadefirm.com](mailto:sam@meadefirm.com)>, Teresa Huggins <[thuggins@bakermarquart.com](mailto:thuggins@bakermarquart.com)>, Brian Klein <[bklein@bakermarquart.com](mailto:bklein@bakermarquart.com)>, Julie Jo <[julie.jo@xapo.com](mailto:julie.jo@xapo.com)>, "Rimon, Laurel L."

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**Cc:** Seena Forouzan <[seena@meadefirm.com](mailto:seena@meadefirm.com)>, Tyler Meade <[tyler@meadefirm.com](mailto:tyler@meadefirm.com)>, Annie Decker <[annie@meadefirm.com](mailto:annie@meadefirm.com)>

**Subject:** RE: WCF v. Shrem, 18-cv-8250 (JSR)

Sam:

Thank you for providing a brief description of the motion you intend to file today that you have had many months to consider and draft.. My firm was just retained by defendant Charlie Shrem this past weekend. We are still actively in the process of investigating the allegations of the sealed Complaint and the transactions that purportedly took place six years ago, which all takes time. In any event, we currently anticipate (without yet having seen or reviewed your motion) that we will require at least two weeks within which to draft a comprehensive opposition and put together the evidentiary support. We can discuss scheduling further in our call with the Court today.

Don

---

**From:** Sam Ferguson <[sam@meadefirm.com](mailto:sam@meadefirm.com)>

**Sent:** Thursday, November 1, 2018 8:36 AM

**To:** Donald Pepperman <[Dpepperman@bakermarquart.com](mailto:Dpepperman@bakermarquart.com)>; Teresa Huggins <[thuggins@bakermarquart.com](mailto:thuggins@bakermarquart.com)>; Brian Klein <[bklein@bakermarquart.com](mailto:bklein@bakermarquart.com)>; Julie Jo <[julie.jo@xapo.com](mailto:julie.jo@xapo.com)>; Rimon, Laurel L. <[lrimon@omm.com](mailto:lrimon@omm.com)>; Rangel, Antoinette <[arangel@omm.com](mailto:arangel@omm.com)>; Matthew Lindenbaum <[matthew.lindenbaum@nelsonmullins.com](mailto:matthew.lindenbaum@nelsonmullins.com)>; Rob Lindholm <[robert.lindholm@nelsonmullins.com](mailto:robert.lindholm@nelsonmullins.com)>  
**Cc:** Seena Forouzan <[seena@meadefirm.com](mailto:seena@meadefirm.com)>; Tyler Meade <[tyler@meadefirm.com](mailto:tyler@meadefirm.com)>; Annie Decker <[annie@meadefirm.com](mailto:annie@meadefirm.com)>

**Subject:** Re: WCF v. Shrem, 18-cv-8250 (JSR)

Donald,

Per Judge Rakoff's rules, the purpose of the call today is to set a briefing schedule. (See rule 2(b)-(c)). We must have a briefing schedule to include in our notice of motion; hence the schedule must be decided before the motion is filed and served.

So that you may adequately determine the time you need for your opposition, our motion for confirmation is based entirely on the reasons stated in the ex parte motion for attachment, which you have. Based on the reasons stated there, we will be moving to confirm the levies obtained over crypto assets at Bittrex, Circle, Xapo, as well as the levy over all personal property within the possession or custody of Mr. Shrem.

I trust with this information you should be able to suggest a reasonable time frame for your side to respond.

Please let us know. Let's plan to call the Court at 2:30.

Sam

On Oct 31, 2018, at 12:56 PM, Sam Ferguson <[sam@meadefirm.com](mailto:sam@meadefirm.com)> wrote:

Counsel,

We intend to file a motion to confirm the October 2 Order of Attachment and the levies effected by service of the Order on Bittrex, Circle Internet Financial, Xapo and Defendant Shrem.

Please let us know if you are available within the next 24 hours for a conference call with Chambers to discuss the motion pursuant to Judge Rakoff's individual rules of practice (rule 2). (You can access them here for convenience: [http://www.nysd.uscourts.gov/cases/show.php?db=judge\\_info&id=1369](http://www.nysd.uscourts.gov/cases/show.php?db=judge_info&id=1369) )

In advance of the call, please let us know if (a) you intend to oppose the motion and, if so, (b) if you have a requested briefing schedule.

Please do not hesitate to reach out to us with any questions.

Best regards,

-Sam Ferguson

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